

The opinion in support of the decision being entered today was *not* written for publication and is *not* binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte KAZUO SHIOTA, SHUNICHI OHTSUKA, NOBUYOSHI NAKAJIMA, NORIHISA HANEDA, SUGIO MAKISHIMA, HIROSHI TANAKA, and KAZUHIKO TAKEMURA

Appeal 2007-0974
Application 08/979,567
Technology Center 3600

Decided: April 30, 2007

Before KENNETH W. HAIRSTON, HOWARD B. BLANKENSHIP, and MAHSHID D. SAADAT, *Administrative Patent Judges*.

HAIRSTON, *Administrative Patent Judge*.

DECISION ON APPEAL
STATEMENT OF THE CASE

Appellants appeal under 35 U.S.C. § 134 from a Final Rejection of claims 1 to 3, 5 to 8, 10 to 15, 17 to 21, and 23 to 33. We have jurisdiction under 35 U.S.C. § 6(b).

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Appellants have invented a method and system for recording picture image data read from a developed film and printing service information regarding the printing service that can be provided for the picture image data in a portable recording medium. A user can display an order screen and select images and services stored in the recording medium.

Claim 1 is representative of the claims on appeal, and it reads as follows:

1. A picture print ordering method which orders a print of a picture image by generating print ordering information comprising electronic data in a predetermined standard to be processed by a predetermined photo finishing system, comprising the steps of:

recording high resolution picture image data obtained by reading a developed film and printing service information regarding the printing service which can be provided for the high resolution picture image data in the same portable recording medium, said printing service information being updateable information for use in generating an updateable order screen displaying available printing services from which a user selects;

displaying the printing service information and the image data recorded in the portable recording medium so as to display said order screen when the print ordering information for requesting a printing service regarding the image data recorded in the portable recording medium is generated; and

generating the print ordering information by using the displayed printing service information;

wherein the printing service information includes a plurality of attributes including size and kind and the name of an apparatus and/or a service provider by which the printing service information has been recorded in the portable recording medium.

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The prior art relied upon by the Examiner in rejecting the claims on appeal is:

Moghadam US 5,799,219 Aug. 25, 1998
(filed Aug. 15, 1996)

Farros US 5,930,810 Jul. 27, 1999
(filed Aug. 9, 1995)

The Examiner rejected claims 1 to 3, 5 to 8, 10 to 15, 17 to 21, and 23 to 33 under 35 U.S.C. § 103(a) based upon the teachings of Moghadam and Farros.

Appellants contend throughout the briefs that neither reference teaches nor would have suggested to the skilled artisan the use of the same portable recording medium to record high resolution picture image data read from a developed film, and printing service information regarding the printing service that can be provided for the high resolution picture image data.

We sustain.

ISSUE

Is a portable recording medium that records both high resolution picture image data read from a developed film, and printing service information regarding the printing services that can be provided for the high resolution picture image data taught by or would have been suggested to the skilled artisan by either Moghadam or Farros?

FINDINGS OF FACT

As indicated *supra*, Appellants describe a portable recording medium that records high resolution picture image data as well as printing service information that can be provided for the high resolution picture image data.

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Moghadam describes a temporary buffer memory 138 (Figure 9) that records high resolution picture image data (col. 7, ll. 51 to 54) obtained by reading a developed film 128, and records printing service information (e.g., film processing lab name and address, film order comments, billing information, number of digital image files created from the scanned film, date, time and type of services provided) (col. 8, ll. 10 to 26) regarding the printing service that can be provided for the high resolution picture image data. The picture image data (e.g., sizes of prints) and the printing service information (e.g., kind of services offered by the printing service) are transmitted as a file to the remote image server 148 where the data and information are displayed on monitor 151 as an order screen for a user (Figure 5; column 6, ll. 1 to 8; col. 8, ll. 27 to 30). The billing information, the date, time and type of service are updateable service information. The temporary buffer memory 138 is portable because it is either removably located in the personal computer (PC) 136 or it is removably attached to a port on the PC.

Farros was cited by the Examiner for a teaching of a system that permits a user to view print service information (Answer 5).

PRINCIPLE OF LAW

In sustaining a multiple reference rejection under 35 U.S.C. § 103(a), the Board may rely on one reference alone without designating it as a new ground of rejection. *In re Bush*, 296 F.2d 491, 496, 131 USPQ 263, 266-67 (CCPA 1961); *In re Boyer*, 363 F.2d 455, 458 n.2, 150 USPQ 441, 444 n.2 (CCPA 1966).

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ANALYSIS

As indicated *supra*, Moghadam describes a portable recording medium that records high resolution picture image data and printing service information. The printing service information contains updateable information, and the printing service information is provided to a user as an order screen.

The order screen display teachings of Farros are merely cumulative to the teachings already found in Moghadam.

CONCLUSION OF LAW

As indicated *supra*, the obviousness of the claimed subject matter is demonstrated by the teachings of Moghadam considered alone.

DECISION

The obviousness rejection of claims 1 to 3, 5 to 8, 10 to 15, 17 to 21, and 23 to 33 is affirmed.

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No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED

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